



Delaware Nutrient Management



The Delaware Nutrient Management Commission Minutes of the Full Commission Meeting Held October 09, 2007

In attendance:

<i>Commission Members Present</i>	<i>Others Present</i>		
B. Vanderwende – Chair	G. Binford	S. Hollenbeck	T. Ramnath
M. Adkins	K. Bunting-Howarth	L. Jones	C. Roberts
D. Baker	R. Coleman	S. Kepfer	P. Sample
R. Baldwin	P. Diehl	Jeff Nelson	J. Tarburton
J. Elliott	K. Donnelly	Jennifer Nelson	E. Thompson Jr
T. Keen	K. Foskey	B. Palmer	E. Vogl
C. Larimore			
J. Manchester			
B. O'Neill			
C. Solberg			
R. Sterling	<i>Ex-officios Present</i>		
C. West	W. Rohrer	J. Hughes	
<i>Commission Members Absent</i>	M. Cooke	G. Llewellyn	
F. Kenneth Blessing			
A. Johnson			

This meeting was properly notified and posted as required by law.

Call to Order/Welcome:

Chairman Bill Vanderwende called the meeting to order at 7:00 p.m. and welcomed everyone in attendance.

Approval of Minutes:

J. Elliott motioned to accept the minutes of the September 18, 2007 Full Commission Meeting.

R. Sterling seconded the motion which passed unanimously.

Discussion and Action Items:

Review and Act on May 18, 2007 Formal Complaint and August 6 Hearing Officer Recommendations:

Prior to any discussion, D. Baker recused himself from this matter as he acted as the Hearing Officer, and appointed C. Larimore Chair for this segment of the meeting. C. West also recused himself as he conducts business with the alleged violator. B. Rohrer also left the room. M. Cooke reminded the Commissioners that in previous mailings, they had received evidence to show:

- Hearing Officer has found the violator in violation of the Nutrient Management Law
 - The violator had no Nutrient Management Plan
 - The violator had no supervisor
- Hearing Officer has recommended to the Secretary of Agriculture, an administrative penalty of \$1,000
- Hearing Officer has recommended that violator have a Nutrient Management plan in place by February, 2008
- Hearing Officer has recommended that violator become a Certified Private Nutrient Handler prior to handling of any nutrients for crop year 08

C. Larimore motioned to accept the recommendations of the Hearing Officer as written.

J. Elliott seconded the motion which passed unanimously.

The Order of the Commission was circulated for signature.

C. Solberg stated "I think that the staff, both Counsels, the Commissioners that were in the hearing, and our administrative program staff conducted all of these very extensive relationship-building, monitoring the farm operations; have represented the program very well."

Commissioners Baker and West returned to the meeting, along with B. Rohrer.

Review and Act on Perdue AgriRecycle's Bio-Energy Proposal:

Jack Tarburton and Jeff Nelson, representatives of Perdue AgriBusiness gave a presentation about Bio-Energy (copy of presentation is attached to these minutes). Some of the key points of their presentation:

- Perdue, and Perdue AgriBusiness is a privately held processor, marketer and distributor of food and agricultural products
- Renewable energy is appealing for
 - Economic development
 - Environmental benefit
 - Domestic energy security
- Perdue has a commitment to renewable energy:
 - Ethanol
 - Biodiesel
- Renewable Fuels are in two categories:
 - First generation, such as corn and soybeans
 - Next generation using Biomass, BTL and BTG
- Perdue would like to use a process called Fast Pyrolysis to transform chicken litter and waste into renewable energy
 - Need to assess probability of getting necessary permits
 - Cooperative effort with USDA, ARS to develop data collection for permitting

Perdue is not abandoning their pellet operation; they are hoping that their char product will enhance it. J.

Manchester suggested that Perdue look at other studies involving flash pyrolysis, and he cautioned that not one of them has been brought to commercial product. D. Baker stated that he didn't think the Commission has a problem in supporting Perdue in their research but, an amendment to SB280 should encompass more than this endeavor.

Summary of Nutrient Management Implementation Study (L. Jones, DNREC)

Lyle Jones, DNREC, gave a presentation (handout is included with these minutes) on the Nutrient Management Implementation Study.

Review and Act on University of Delaware Certification Budget

C. West commented that has been asked to have evening classes being held in Sussex County. D. Hansen stated that problem is being addressed.

C. Larimore motioned to accept the budget of \$182,155 that University of Delaware has proposed.

J. Elliott seconded the motion which passed unanimously.

Review and Act on FY 2007 Environmental Stewardship Program

The proposal has been presented to restructure the award process to include 1 poultry grower, 1 general farm operation, and 1 non-farming entity (government or non). It has also been suggested to change the venue to Delaware Agronomy Daylunch or dinner. Nominations will be brought back to the Program and Education Subcommittee, as well as new guidelines for selection.

DNREC NonPointSource Survey Presentation (J. Nelson, DNREC)

Jennifer Nelson gave a presentation regarding the survey she conducted this past summer (see copy attached to these minutes). J. Elliott thought that a better job should be done in explaining what nutrient management plans are supposed to do for a farmer.

Subcommittee Reports:

C. Solberg summarized the Program and Education/Budget Subcommittee meeting as follows:

- Reviewed the status of Research and Demonstration budget - \$26,000 remaining

- Subcommittee approved proposal submitted by B. Malone (In-House Composting Project)
- G. Johnson will submit a budget for his proposal (Recovery of Nutrients from Derelict Poultry House Pads)

J. Manchester motioned to approve \$9,271.00 grant to B. Malone project.

C. West seconded the motion which passed unanimously.

Administrator's Report: *Refer to the attached Administrator's Report*

B. Rohrer explained the Administrator's Report, and noted newsletters which are in the works to be sent out in the near future.

J. Hughes led a discussion regarding the role of the Program Administrator (P.A.) in communication with the EPA. The Commission concluded that the responsibility of the P.A. is to represent the Commission and such representation shall be conducted with EPA. It was noted that the Program Administrator is not authorized to negotiate policy for the DNMC, but fully understands the issues facing the DNMC and the EPA.

Public Comments:

E. Vogl voiced his concern over lack of structures within tax ditches. D. Baker thought that BMPs could be written, education and training could be provided to address the concern.

Next Meeting: The next scheduled meeting will be December 11, 2007 at 7:00 p.m.

Adjournment: Chairman Vanderwende adjourned the meeting at 9:45 p.m.

Approved,

B. Vanderwende, Chair
Delaware Nutrient Management Commission

BRR/psd